

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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JARRETT ENGLISH,  
BENETRIA MCGOWAN,

Plaintiffs,

Case No. 19-cv-0781-bhl

v.

CITY OF MILWAUKEE, et al.,

Defendants.

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**VERDICT FORM**

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We the jury, for our verdict, find as follows:

**PART ONE**

**A. Plaintiff Benetria McGowan's Unlawful Arrest Claim**

Question No. 1. Did Defendant Rebecca Wallich violate Plaintiff Benetria McGowan's Fourth Amendment rights by arresting her without probable cause?

Answer: \_\_\_\_\_ Yes  No

Question No. 2. Did Defendant Nesrodene Ghassoul violate Plaintiff Benetria McGowan's Fourth Amendment rights by arresting her without probable cause?

Answer: \_\_\_\_\_ Yes  No

If you answered "Yes" to either Question Nos. 1 or 2, then proceed to Questions 3 through 5. If you answered "No" to both Questions 1 & 2, do not answer Questions 3 through 5. Instead, proceed to Question 7.

— Question No. 3. Did Defendant James Harpole personally direct, condone, or approve the unlawful arrest of Plaintiff Benetria McGowan?

Answer: \_\_\_\_\_ Yes \_\_\_\_\_ No

### **Compensatory Damages**

— Question No. 4.

What amount of money will fully and fairly compensate Plaintiff Benetria McGowan for the harm caused by Defendant(s)' unlawful arrest?

Answer: \$ \_\_\_\_\_

### **Punitive Damages**

— Question No. 5.

Did Defendant(s) act in a way that demonstrated a willful or reckless disregard for Plaintiff Benetria McGowan's rights with respect to her unlawful arrest?

Answer: \_\_\_\_\_ Yes \_\_\_\_\_ No

If you answered "Yes" to Question 5, then you must answer Question 6. If you answered "No" to Question 5, do not answer Question 6 and instead proceed to Question 7.

— Question No. 6.

What amount of money, if any, do you award as punitive damages against Defendant(s) for Benetria McGowan's unlawful arrest?

Answer: \$ \_\_\_\_\_

### **B. Plaintiff Jarrett English's Unlawful Arrest Claim**

— Question No. 7.

Did Defendant Raymond Brock violate Plaintiff Jarrett English's Fourth Amendment rights by arresting him without probable cause?

Answer: \_\_\_\_\_ Yes  No

Question No. 8.

Did Defendant Nesrodene Ghassoul violate Plaintiff Jarrett English's Fourth Amendment rights by arresting him without probable cause?

Answer: \_\_\_\_\_ Yes  No

Question No. 9.

Did Defendant Andrew Wilkiewicz violate Plaintiff Jarrett English's Fourth Amendment rights by arresting him without probable cause?

Answer: \_\_\_\_\_ Yes  No

If you answered "Yes" to any of Question Nos. 7, 8, or 9, then proceed to Questions 10 through 12. If you answered "No" to all of Questions Nos. 7, 8, and 9, do not answer Questions 10 through 13. Instead, proceed to Part Two.

Question No. 10. Did Defendant James Harpole personally direct, condone, or approve the unlawful arrest of Plaintiff Jarrett English?

Answer: \_\_\_\_\_ Yes \_\_\_\_\_ No

### **Compensatory Damages**

Question No. 11. What amount of money will fully and fairly compensate Plaintiff Jarrett English for the harm caused by Defendant(s)' unlawful arrest?

Answer: \$ \_\_\_\_\_

### **Punitive Damages**

Question No. 12. Did Defendant(s) act in a way that demonstrated a willful or reckless disregard for Plaintiff Jarrett English's rights with respect to his unlawful arrest?

Answer: \_\_\_\_\_ Yes \_\_\_\_\_ No

If you answered "Yes" to Question 12, then you must answer Question 13. If you answered "No" to Question 12, do not answer Question 13 and instead proceed to Part Two.

Question No. 13. What amount of money, if any, do you award as punitive damages against Defendant(s) for Jarrett English's unlawful arrest?

Answer: \$ \_\_\_\_\_

## PART TWO

### A. Plaintiff Benetria McGowan's Excessive Force Claim

Question No. 14. Did Defendant Rebecca Wallich use excessive force in arresting Plaintiff Benetria McGowan?

Answer: \_\_\_\_\_ Yes  No

Question No. 15. Did Defendant Nesrodene Ghassoul use excessive force in arresting Plaintiff Benetria McGowan?

Answer: \_\_\_\_\_ Yes  No

If you answered "Yes" to either Question Nos. 14 or 15, then proceed to Questions 16 and 17. If you answered "No" to both Questions 14 & 15, do not answer Questions 16 through 18. Instead, proceed to Question 19.

#### Compensatory Damages

Question No. 16. What amount of money will fully and fairly compensate Plaintiff Benetria McGowan for the harm caused by Defendant(s') use of excessive force?

Answer: \$ \_\_\_\_\_

#### Punitive Damages

Question No. 17. Did Defendant(s) act in a way that demonstrated a willful or reckless disregard for Plaintiff Benetria McGowan with respect to excessive force?

Answer: \_\_\_\_\_ Yes \_\_\_\_\_ No

If you answered "Yes" to Question 17, then you must answer Question 18. If you answered "No" to Question 17, do not answer Question 18 and instead proceed to Question 19.

Question No. 18. What amount of money, if any, do you award as punitive damages against Defendant(s) for their use of excessive force against Benetria McGowan?

Answer: \$ \_\_\_\_\_

## **B. Plaintiff Jarrett English's Excessive Force Claim**

Question No. 19. Did Defendant Raymond Brock use excessive force in arresting Plaintiff Jarrett English?

Answer: \_\_\_\_\_ Yes  No

Question No. 20. Did Defendant Nesrodene Ghassoul use excessive force in arresting Plaintiff Jarrett English?

Answer: \_\_\_\_\_ Yes  No

Question No. 21. Did Defendant Andrew Wilkiewicz use excessive force in arresting Plaintiff Jarrett English?

Answer: \_\_\_\_\_ Yes  No

If you answered "Yes" to any of Question Nos. 19, 20, or 21, then proceed to Questions 22 and 23. If you answered "No" to all of Questions 19, 20, and 21, do not answer Question 22. Instead, proceed to Part Three.

### **Compensatory Damages**

— Question No. 22. What amount of money will fully and fairly compensate Plaintiff Jarrett English for the harm caused by Defendant(s)' use of excessive force?

Answer: \$ \_\_\_\_\_

### **Punitive Damages**

— Question No. 23. Did Defendant(s) act in a way that demonstrated a willful or reckless disregard for Plaintiff Jarrett English with respect to excessive force?

Answer: \_\_\_\_\_ Yes \_\_\_\_\_ No

If you answered "Yes" to Question 23, then you must answer Question 24. If you answered "No" to Question 23, do not answer Question 24 and instead proceed to Part Three.

— Question No. 24. What amount of money, if any, do you award as punitive damages against Defendants for their use of excessive force against Jarrett English?

Answer: \$ \_\_\_\_\_

## PART THREE

### A. Plaintiffs' First and Fourth Amendment Claims Against the City of Milwaukee

Question No. 25. Did the City of Milwaukee, through the actions or directions of Police Chief Edward Flynn or Defendant James Harpole, adopt a policy of directing police officers to arrest individuals in Sherman Park without probable cause on August 30, 2016?

Answer: \_\_\_\_\_ Yes  No

If you answered "Yes" to Question 25, continue to Question 26. If you answered "No" to Question 25, proceed to Question 27.

Question No. 26. Did that policy proximately cause the arrest of Plaintiff Benetria McGowan or Plaintiff Jarrett English on August 30, 2016?

Answer: \_\_\_\_\_ Yes \_\_\_\_\_ No

Question No. 27. Did the City of Milwaukee through the actions or direction of Chief Edward Flynn and Defendant James Harpole adopt a policy of suppressing freedom of assembly in Sherman Park on August 30, 2016?

Answer: \_\_\_\_\_ Yes  No

If you answered "Yes" to Question 27, continue to Question 28. If you answered "No" to both Questions 26 and 27, proceed to Part Four. If you did not answer Question 26 and answered "No" to Question 27, proceed to Part Four. If you answered "Yes" to Question 26, even if you answered "No" to Question 27, proceed to Question 28.

Question No. 28. Did that policy proximately cause the arrest of Plaintiff Benetria McGowan or Plaintiff Jarrett English on August 30, 2016?

Answer: \_\_\_\_\_ Yes \_\_\_\_\_ No

If you answered "Yes" to Questions 26 and/or Question 28, continue to Question 29. If you answered "No" to both Questions 26 and 28, proceed to Part Four.

### B. Compensatory Damages

Question No. 29. What amount of money will fully and fairly compensate Plaintiff Benetria McGowan for the harm caused by the City of Milwaukee's policy?

Answer: \$ \_\_\_\_\_

Question No. 30. What amount of money will fully and fairly compensate Plaintiff Jarrett English for the harm caused by the City of Milwaukee's policy?

Answer: \$ \_\_\_\_\_

## PART FOUR -- SPECIAL INTERROGATORIES

If you answered "Yes" to Question No. 1, answer the following interrogatory:

—Interrogatory No. 1. Did Defendant Rebecca Wallich reasonably believe, even if mistakenly, that probable cause existed to arrest Benetria McGowan?

Answer: \_\_\_\_\_ Yes \_\_\_\_\_ No

If you answered "Yes" to Question No. 2, answer the following interrogatory:

—Interrogatory No. 2. Did Defendant Nesrodene Ghassoul reasonably believe, even if mistakenly, that probable cause existed to arrest Benetria McGowan?

Answer: \_\_\_\_\_ Yes \_\_\_\_\_ No

~~✓~~ If you answered "Yes" to Question No. 3, answer the following interrogatory:

Interrogatory No. 3. Did Defendant James Harpole reasonably believe, even if mistakenly, that probable cause existed to arrest Benetria McGowan?

Answer: \_\_\_\_\_ Yes \_\_\_\_\_ No

~~✓~~ If you answered "Yes" to Question No. 7, answer the following interrogatory:

Interrogatory No. 4. Did Defendant Raymond Brock reasonably believe, even if mistakenly, that probable cause existed to arrest Jarrett English?

Answer: \_\_\_\_\_ Yes \_\_\_\_\_ No

If you answered "Yes" to Question No. 8, answer the following interrogatory:

~~—~~ Interrogatory No. 5. Did Defendant Nesrodene Ghassoul reasonably believe, even if mistakenly, that probable cause existed to arrest Jarrett English?

Answer: \_\_\_\_\_ Yes \_\_\_\_\_ No

If you answered "Yes" to Question No. 9, answer the following interrogatory:

~~—~~ Interrogatory No. 6. Did Defendant Andrew Wilkiewicz reasonably believe, even if mistakenly, that probable cause existed to arrest Jarrett English?

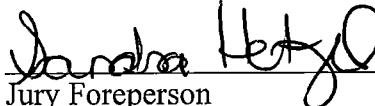
Answer: \_\_\_\_\_ Yes \_\_\_\_\_ No

~~If~~ If you answered "Yes" to Question No. 10, answer the following interrogatory:

Interrogatory No. 7. Did Defendant James Harpole reasonably believe, even if mistakenly, that probable cause existed to arrest Jarrett English?

Answer: \_\_\_\_\_ Yes \_\_\_\_\_ No

Dated at Milwaukee, Wisconsin this 14 day of July, 2023.

  
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Sandra Hertel  
Jury Foreperson